

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
S/S Redstone Road, 150' W of
the c/l of Bluestone Road
(8011 Redstone Road)
11th Election District
5th Councilmanic District
Charlotte G. Frantz
Petitioner

* DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 92-124-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached garage in the side yard in lieu of the required rear yard in accordance with Petitioner's Exhibit 1.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 40-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 407.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of October, 1991 that the Petition for Residential Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached garage in the side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioner shall not allow or cause the proposed garage to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) The proposed garage shall be constructed a minimum of 20 feet from the septic system.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotrocco
TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

October 22, 1991

887-3353

Ms. Charlotte G. Frantz
8011 Redstone Road
Kingsville, Maryland 21087

RE: PETITION FOR RESIDENTIAL VARIANCE
S/S Redstone Road, 150' W of the c/l of Bluestone Road
(8011 Redstone Road)
11th Election District - 5th Councilmanic District
Charlotte G. Frantz - Petitioner
Case No. 92-124-A

Dear Ms. Frantz:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

Timothy M. Kotrocco
TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

92-124-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 8011 Redstone Rd.
Kingsville, Md. 21087
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty)

see attached

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Charlotte G. Frantz
AFFIANT (Handwritten Signature)

Charlotte G. Frantz
AFFIANT (Printed Name)

AFFIANT (Handwritten Signature)

AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 18th day of SEPTEMBER, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

CHARLOTTE G. FRANTZ

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

DATE 9.18.91

Kevin J. Heagerty
NOTARY PUBLIC

My Commission Expires:

KEVIN J. HEAGERTY
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 21, 1994

1. To locate garage so that it would be attached to dwelling it would be sitting on top of the line to septic tank.
2. To move location of garage behind to back line of the dwelling the existing shed and trees would have to be removed. This would also put too much space into driveway.
3. Elevation of dwelling is too high so that the garage roof would have to be too high.
4. The shed roof on dwelling could not be esthetically joined to garage.

92-124-A

ZONING DESCRIPTION
92-124-A

Beginning at a point on the south side of Redstone Road which is 60' right-of-way wide at the distance of 150' west of the centerline of the nearest improved intersecting street, Bluestone Road, which is 50' wide. Being Lot #12, in the Subdivision of Blue Ridge Estates as recorded in Baltimore County Plat Book #35, Folio 5, containing one acre. Also known as 8011 Redstone Road and located in the 11th Election District.

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

92-124-A

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

400.1 - to allow a detached garage in the side yard in lieu of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty)

see attached

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Charlotte G. Frantz

(Type or Print Name)

Charlotte G. Frantz

Signature

(Type or Print Name)

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

City/State/Zip Code

NOTED by the Zoning Commissioner of Baltimore County, this 19 day of Sept, 1991, that the subject matter of this petition be posted on the property on or before the 6 day of Oct, 1991.

ZONING COMMISSIONER OF BALTIMORE COUNTY

ORDER RECEIVED FOR FILING

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be held before the Zoning Commissioner of Baltimore County at _____, County Office Building in Towson, Baltimore County.

Disseminated by: LJG DATE: _____



ZONING COMMISSIONER OF BALTIMORE COUNTY

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11 Date of Posting: 9/18/91

Posted for: Charlotte G. Frantz

Petitioner: Charlotte G. Frantz

Location of property: 8011 Redstone Road, Kingsville, MD 21087

Location of Sign: See attached

Remarks: see attached

Posted by: Charlotte G. Frantz Date of return: 9/18/91

Number of Signs: 1



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date

9/18/91

Time

1:00 PM

Place

County Office Building

Signature

Charlotte G. Frantz

Account: R-001-6150
Number: 138

04404R005041CHRC \$60.00
PA 0009141400-19-91
Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

October 21, 1991

Ms. Charlotte G. Frantz
8011 Redstone Road
Kingsville, MD 21087

RE: Item No. 138, Case No. 92-124-A
Petitioner: Charlotte G. Frantz
Petition for Residential Variance

Dear Ms. Frantz:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Zoning Plans Advisory Committee Comments
Date: October 21, 1991
Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw
Enclosures

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 19th day of September, 1991.

Received By:
ARNOLD JABLON
DIRECTOR

Chairman,
Zoning Plans Advisory Committee

Petitioner: Charlotte G. Frantz
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 27, 1991
Zoning Administration and
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Romano Property, Item No. 127
Cochran Property, Item No. 129
Panagiotou Property, Item No. 130
Cernak Property, Item No. 135
Noravian Property, Item No. 137
Frantz Property, Item No. 138
Sedlak Property, Item No. 140
Smoot Property, Item No. 141

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/rdn
ITEMS127/TXTROZ

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(301) 887-4500

OCTOBER 1, 1991

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: CHARLOTTE G. FRANTZ
Location: #8011 REDSTONE ROAD
Item No.: 138 Zoning Agenda: OCTOBER 1, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/FFF

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

September 27, 1991

TO: Arnold Jablon, Director
Zoning Administration and Development Management

FROM: DIVISION OF GROUND WATER MANAGEMENT

SUBJECT: Zoning Item #138, Zoning Advisory Committee Meeting of October 1, 1991, Charlotte G. Frantz, S/S Redstone Road, 150' W of centerline Bluestone Road (#8011 Redstone Road), D-11, Private Water and Sewer

COMMENTS ARE AS FOLLOWS:
Any permanent building structure must be a minimum of 20 feet from the septic system.

SSF:rmp
138ZNG/GWRMP

RECEIVED
SEP 30 1991
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 27, 1991
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting for October 1, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 127, 129, 130, 131, 132, 133, 135, 137, 138, 139, 140 and 141.

For Item 134, this subdivision is okay, with no comments needed.

For Item 136, the comments are reserved until the County Review Group plan is submitted. However, sideyard setback dimensions may change as a result of the County Review Group comments.

Robert W. Bowling
Robert W. Bowling, P.E. Chief
Developers Engineering Division

RWB:s

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

September 25, 1991

Charlotte G. Frantz
8011 Redstone Road
Kingsville, Maryland 21087

Re: CASE NUMBER: 92-124-A
LOCATION: S/S Redstone Road, 150' W of c/l Bluestone Road
8011 Redstone Road

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before October 6, 1991. The closing date is October 21, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,
G. G. Stephens
(301) 887-3391

138
92-124-A
September 16, 1991

To Whom It May Concern:

As a neighbor of Charlotte Frantz, we the undersigned have no objection to her building a garage that is not attached to her house and is in front of the existing shed.

Sincerely,
Joel Snyder
Deborah Snyder
8000 Redstone Road
Kingsville, MD 21087

138
92-124-A
8015 Redstone Road
Kingsville, Md. 21087
September 11, 1991

To Whom It Concerns:

Mrs. Frantz is our neighbor to the southwest and we understand that she is going to build a garage. We the undersigned agree that Mrs. Charlotte Frantz of 8011 Redstone Road has our permission to build the unattached garage in front of her existing shed.

Sincerely,
William E. Osbourn III
Shirley W. Osbourn

